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/Kevin E. Kuehn/ May 25, 2011
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant[s]: Johannes Martin et al.
Serial No.: 08/978,839
Patent No.: 6,067,916
Filing Date: November 26, 1997
Examiner: Ljiljana V. Ciric
Art Unit: 3743
Title: PROCESS AND DEVICE FOR PRODUCING AND UTILIZING GAS
FROM WASTE MATERIALS
Attorney Docket: MTIN-01
Confirmation No.: 4935

May 25, 2011

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)
AS A SMALL ENTITY (37 C.F.R. §1.28(c))****Erroneous Filing of Small Entity Statement**

1. On August 19, 2003, after issuance of this patent, Patent Owner (the assignee) erroneously filed a small entity assertion for this patent.
2. Patent Owner made this small entity assertion in good faith and paid the small entity fee(s) in good faith.
3. Patent Owner recently learned that its small entity assertion was made in error, although such assertion was made in good faith. More particularly, Patent Owner believed in good faith that it was entitled to assert small entity status, at the time this assertion was made. Patent

Owner has now learned that it was not so entitled. With this paper, Patent Owner rectifies this situation by identifying and paying the full large entity amounts for the first and second maintenance fees, i.e. the full deficiencies.

4. **Itemization of the Fee(s) Erroneously Paid as a Small Entity**

Filing Date of Original Paper	Type of Fee Paid	Column A Current Fee as a large entity	Column B Amount originally paid	Deficiency Owed (based on current fee amount) Col. A minus Col. B)
11/6/2003	3.5 yr. Maintenance Fee	\$980	\$455	\$525
8/25/2005	7.5 yr. Maintenance Fee	\$2480	\$1180	\$1300
TOTAL				\$1825

5. Patent Owner respectfully requests that the total deficiency owed, i.e. an amount of \$1,825, be charged to Deposit Account 23-3000.

In view of the payment of this deficiency per 37 C.F.R. §1.28(c), Patent Owner respectfully requests that the USPTO correct the file to indicate large entity status, and that the erroneous establishment of small entity status be excused. If any additional fees are necessary to complete this communication, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

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